

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: Dale A. Moss

Debtor(s)

KeyBank, NA s/b/m First Niagara Bank, NA
Movant

v.

Dale A. Moss

Respondents

and

Ronda J. Winnecour, Trustee

Additional Respondents

BK. NO. 20-22649 JAD

CHAPTER 13

Related to Docs. 26, 31

Hearing Date: 6/23/21 at 10:00 a.m.

Doc. # 32

STIPULATION AND ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the follow Stipulation:

WHEREAS, KeyBank, NA s/b/m First Niagara Bank, NA has filed a motion for relief from stay due to delinquent mortgage payments on the mortgage secured by Debtor's real property at 634 Stamford Drive, Greensburg, PA 15601 (Doc. 26);

WHEREAS, Debtor(s) has filed a response opposing relief from the automatic stay (Doc. 31);

WHEREAS, Debtor is currently delinquent in payments to the Chapter 13 Trustee in the amount of \$4,998.00;

WHEREAS, Debtor mailed a check to the Chapter 13 Trustee's Office on Friday, June 18, 2021 in the amount of \$4,900.00;

WHEREAS, the parties enter into this Stipulation to resolve the motion for relief from the automatic stay.

AND NOW, it is hereby stipulated by and between the undersigned as follows:

1. The automatic stay is terminated as it affects the interests of the Movant with respect to Debtor's real property at 634 Stamford Drive, Greensburg, PA 15601, provided however, that relief from stay is stayed in accordance with the conditions set forth in Paragraphs 2-6, below.

2. On a go-forward basis from and after the date of the Order approving this Stipulation, the Debtor shall timely make full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due.

3. Time is of the essence as to all plan payments going forward.

4. For the duration of this bankruptcy case, in the event that the Chapter 13 Trustee has not received a full plan payment by the last day of the month in which the Debtor's payment is due, as indicated by the Chapter 13 Trustee's online records, then the stay provided in Paragraph 1, above, shall be vacated and the automatic stay unconditionally lifted as it affects the interests of the Movant with respect to Debtor's real property at 634 Stamford Drive, Greensburg, PA 15601, upon the filing of a Certification of Default by Movant, without further hearing or without entry of an additional order, if Debtor has failed to cure the default fifteen (15) days after written notice of default to Debtor's counsel.

5. Relief from the automatic stay shall be effective immediately upon conversion of Debtor's case to a case under Chapter 7.

6. In the event that the automatic stay is terminated as provided by this Order, then the Trustee shall make no further disbursements to Respondent on account of its secured claim, unless directed otherwise by further Order of Court.

Consented to by:

/s/ Corey J. Sacca

Corey J. Sacca, Esq., PA ID # 306741
Bononi & Company, P.C.
20 N. Pennsylvania Ave., Ste. 201
Greensburg, PA 15601
Phone: (724) 832-2499
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/s/ Maria D. Miksich

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FILED
6/24/21 10:17 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

By the Court,



_____ J.
jst

Jeffery A. Deller
U.S. Bankruptcy Judge

In re:
Dale A Moss
Debtor

Case No. 20-22649-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jun 24, 2021

User: culy
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 26, 2021:

Recip ID	Recipient Name and Address
db	+ Dale A Moss, 634 Stamford Drive, Greensburg, PA 15601-6041

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 26, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 24, 2021 at the address(es) listed below:

Name	Email Address
Corey J. Sacca	on behalf of Debtor Dale A Moss csacca@bononilaw.com coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecfmail@gmail.com;r39887@notify.bestcase.com;3230706420@fili ngs.docketbird.com
Maria Miksich	on behalf of Creditor KeyBank NA, s/b/m First Niagara Bank, NA mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 5